



ACT of PARLIAMENT

For Repressing the Depredations in the Highlands, September 10. 1690.



UR Sovereign Lord and Lady, the King and Queens Majesties, Considering the several good and laudable Laws made by Their Majesties Royal Progenitors, for Repressing the Depredations and Robberies, Committed by Sorners, Robbers, and Broken-men in the Highlands, and the Shires next adjacent thereto, which have not hitherto taken full effect : And that the late Meeting of the Estates Did humbly Represent the same to Their Majesties, to be Redressed, and that the saids Robberies and Depredations are much encouraged and encreased, by reason of the present Rebellion, chiefly to the prejudice of such of Their Majesties Subjects, who are most peaceable, and best affected to Their Majesties Laws and Government; Wherethrough it is necessary, that not only the former Laws made thereanent should be revived ; But likewise a further remedy should be provided thereto, by this present Act : Therefore Their Majesties, with Advice and Consent of the Estates of Parliament, Do hereby, not only Revive, Ratifie and Approve the saids whole Laws and Acts made for Repressing Sornings, Robberies and Depredations, in so far as they are not altered or innovat by this present Act : But further, Do Statute, Ordain, and Enact, That where any Sornings, Robberies, or Depredations are committed in the Shires following, *viz.* The Shires of Argyle, Bute, Dumbridon, Striviling, Glackmannan, Kinross, Perth, Forfar, Kincardine, Aberdene, Banff, Elgine, Nairn, Inverness, Ross, Cromerty, Sutherland and Caithness, the whole Heretors, Liferenters, and proper Wodsetters within the particular Paroch, where such Depredations, Sornings, and Robberies are committed, and within the whole Paroches adjacent to, and marching with the said particular Paroch, shall be lyable to refund to the party damnified, through the saids Sornings, Depredations, and robberies, the loss to be sustained thereby, proportionally according to their valued rent within the saids Paroches, Providing the Damages sustained be in Horse, Nolt, Sheep, Goats, or other Cattel and Corns allanerly, and no otherways ; And the saids Heretors are hereby Authorized and Impowered to exact and uplift from their respective Tennents, and others dwelling on their Lands for their relief, the just and equal half of their respective proportions, and to divide the same amongst them, as they find just, the said relief not exceeding the just and equal half of their respective proportions, as said is. And it is hereby Statute and Ordained, that the Damages and losses sustained by such Depredations, may, and shall be liquidat by the Commissioners of Supply, within the respective Shires, where the saids whole Paroches do ly, or any three of the saids Commissioners, who are hereby Authorized to be a sufficient Quorum, for making this Act effectual, and that upon a Citation of fifteen dayes, to be executed at the Mercat Crosses of the Head-Burghs of the respective Shires on a Mercat Day, betwixt ten and twelve a Clock in the Forenoon, and whole Paroch Kirks lyable by this Act respectively, on a Sabbath Day, betwixt ten a Clock in the Forenoon, and two a Clock in the Afternoon, and that providing there be *tutus accessus*, for making the saids Intimations, Summoning all parties having interest to appear at such places, as the saids Commissioners, or Quorum of them, hereby Authorized, shall appoint, with power to them after Liquidation of the said Damage, to divide the same among the respective Heretors, according to their respective Valuations within the saids Paroches, and to give out Precepts for Poynding, and Orders for Quartering, as for Their Majesties Supply. And it is further Enacted and Ordained, that where a Harship or Depredation shall be carryed through any other Lands, the Paroches which are hereby lyable, shall have proportional Relief from the Heretors and Tennents of these Lands, through which they pass, or re-pass, as if the saids Lands were within the saids Paroches where the Damages is sustained, albeit the Depredators do not rest upon these Lands, unless the Heretors, Tennents and Inhabitants in these Lands, through which the Depredators pass, both raise the Hue and Cry after them, and rise in Arms to concur for recovering the Goods, and Seizing the persons of the saids Depredators, Sorners and Robbers. And it is also hereby Declared, that this present Act is without prejudice of former Acts against Depredations, and that whatsoever Sums shall be payed by any Paroches, by vertue of this Act, the Paroch or Paroches so paying, shall have relief thereof against these lyable, conform to former Laws. As also, it is hereby specially Provided and Declared, that the persons upon whom the Depredations and Robberies shall be committed, shall have no benefit of Relief competent to them, unless they raise the Hue and Cry to their Neighbours, that they may pursue after the saids Depredators, Sorners and Robbers, and so from Paroch to Paroch ; and that these Neighbours, who shall not follow the Hue and Cry, may, *Besides their being lyable conform to this Act*, be further punished as Their Majesties Privy Council shal think fit ; And likewise, it is Provided and Declared, that such Landlords and Heretors, who shall after committing of the Depredations, Refet, Converse, or Intercommune with the Depredators, Sorners or Robbers, shall have neither Action nor Relief competent to them by this present Act ; And for the more speedy and punctual execution hereof, Ordains this present Act immediatly to be Printed, and Published at the Mercat Cross of *Edinburgh*, and at the Mercat Crosses of the Head Burghs of the saids whole respective Shires, and whole Paroch Churches therein, to which there is *tutus accessus* for the present ; and that the same shall take effect within forty eight hours after the same beis Published at the respective Mercat Crosses, as said is, notwithstanding of any Law or Act of Parliament, suspending the effect of Laws for a longer time, after Enacting or Publication thereof. It is always hereby Provided and Declared, that this present Act, in so far as the same does import any Innovation, alteration, or addition to the former Laws against Depredations and Robberies, shall only endure, have strength and effect till the first of *January 1692. years*. Extracted forth of the Records of Parliament by,